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December 3, 2002

Thomas Krueger  
Associate Regional Counsel  
United States Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Re: Ellsworth Industrial Park Site

Dear Tom:

Thank you for meeting with me and representatives of Molex on October 31. Molex provided some of the additional information requested by the Agency immediately after the meeting. This letter provides the rest of the requested information that is available. The information demonstrates that the special notice letter should be withdrawn for Molex.

As we informed you at the meeting, Molex used TCA only at the Walnut location. Molex did not use TCA at the Katrine location that is south of the property where TCA was detected in soil and groundwater samples. EPA sampled monitoring wells at the Walnut location, and the wells are clean. The wells are not designed to detect substances migrating in the bedrock aquifer, but they are well situated to detect contaminants released by the Walnut operations.

Molex installed the monitoring wells at the Walnut facility as a sentry system to detect any leakage of plating chemicals into the environment outside the building. As discussed at our meeting, Molex contained and treated any incidental leakage within the building as a matter of environmental stewardship and economic stewardship (due to precious metals in the plating solution). Molex tested the Walnut wells annually while the plating lines operated and never detected any environmental contamination.

Molex used TCA at the Walnut facility only in small quantities. It was not used in regular production work. Instead, Molex used it sporadically during the maintenance of molds. The TCA used for this maintenance work was purchased in spray cans at a hardware store. MSDS information was not obtained for maintenance chemicals purchased in such small quantities.

Molex has not been able to identify any other pertinent information. Molex has not located anyone with information about the drainage patterns between the Molex facilities on Katrine and Walnut. As discussed below, the potential for migration of contaminants released by

CHI-1327750v1

## JONES, DAY, REAVIS &amp; POGUE

Thomas Krueger  
December 3, 2002  
Page 2

other parties in these drainage paths is not sufficient to support the identification of Molex as a responsible party.

EPA previously established two criteria that must be satisfied to identify a potentially responsible party at the Ellsworth site: use of TCE or PCE at an Ellsworth location and detection of TCE or PCE in soil or groundwater at the location. Molex does not meet either of these criteria. It did not use TCE or PCE and none has been detected on its property. In fact, groundwater monitoring over a period of years clearly shows that Molex is not a source of the problems at the Ellsworth site.

The criteria that you established for identifying potentially responsible parties are necessary to satisfy the liability restrictions established by the Brownfields Revitalization Act. The liability clarification portion of the Act eliminates CERCLA liability for contiguous property owners, such as Molex, who may be affected by migrating contaminants. 42 U.S.C. §9607(q). This statutory limitation on the Agency's authority compels a decision to withdraw the special notice letter to Molex.

Molex requests the withdrawal of the special notice letter or a detailed explanation of the specific facts that warrant the continued identification of Molex as a potentially responsible party at the Ellsworth site.

Sincerely,



Charles T. Wehland